



State of Washington  
**PUBLIC DISCLOSURE COMMISSION**

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9:30 a.m.  
January 25, 2007

**MINUTES – REGULAR MEETING**

Evergreen Plaza Bldg. Room 206  
711 Capitol Way South  
Olympia, Washington

**COMMISSION MEMBERS PRESENT**

Jane Noland, Chair  
Bill Brumsickle, Vice Chair  
Ken Schellberg, Secretary

Via Teleconference:  
Earl Tilly, Member

**STAFF PRESENT**

Vicki Rippie, Executive Director  
Doug Ellis, Assistant Director  
Michael Smith, Chief Technology Officer  
Nancy Krier, Sr. Asst. Attorney General  
Linda Dalton, Sr. Asst. Attorney General  
Kami Madsen, Secretary

The regular meeting of the Public Disclosure Commission was called to order by Commission Chair Jane Noland at 9:30 a.m. in the Evergreen Plaza Building, Room 206, Olympia, Washington.

**Commissioner Comments**

Commissioner Schellberg reported he attend the COGEL conference in early December with Doug Ellis. He stated that the conference was extremely worthwhile, and urges that as many staff members as possible to attend the next conference since the location will be so close to our area.

He also reported on his attendance at the U.S. Supreme Court oral argument for the Davenport v. WEA case and stated Attorney General Rob McKenna did an admirable job. He said his only issue about the case is that it has been perceived as an anti-union case, which was not the intention of the PDC.

Commissioner Schellberg also attended a training session with Lori Anderson in Lynnwood for sewer and water commissioners.

Commissioner Noland reported she needs to disclose that her daughter and son-in-law own a lobbying/public relations/marketing company in Washington D.C. and they have just opened a Seattle office. She will recuse herself from consideration of any matters related to their company were they to come before the Commission.

Citizen Comments/Concerns

No citizen comments or concerns were expressed.

Minutes

**Motion 07-37**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission adopts the minutes of November 30, 2006 as written.**

The motion passed unanimously.

Legislative Matters

Vicki Rippie reported on current legislation that would have an impact on Chapter 42.17 RCW or on the operation of the Public Disclosure Commission if passed into law.

Ms. Rippie noted that the appointments of Commissioners Brumsickle, Noland and Schellberg are on the Senate confirmation calendar.

House Bill draft 0292.3 – Reorganizing campaign contribution and disclosure laws.

**Motion 07-38**

Moved by Commissioner Brumsickle, seconded by Commissioner Schellberg:

**The Commission requests Vicki Rippie to testify in favor of the reorganization bill when it is heard in committee.**

The motion passed unanimously.

House Bill 1006 – Feasibility cost study for electronic filing of lobbyist disclosure reports.

**Motion 07-39**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission supports House Bill 1006 relating to a feasibility cost study for electronic filing of lobbyist disclosure reports.**

The motion passed unanimously.

House Bill 1186 – Relating to judicial campaigns, and Governor request legislation Senate Bill 5226 and House Bill 1589 – Funding of judicial election campaigns.

Vicki Rippie explained the differences and similarities between the Governor's bills and House Bill 1186. Ms. Rippie said she would attend the hearings and listen to concerns expressed and would be available to answer technical questions.

**Motion 07-40**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission supports the portions of House Bill 1186 prohibiting the use of general treasury funds and placing limits on contributions to certain PACs, consistent with the Commission's legislative recommendations adopted on November 30, 2006.**

The motion passed unanimously.

House Bill 1360 and Senate Bill 5510 – Public Financing of State Office Campaigns. The Commission took no formal action.

Senate Bill 5278 and House Bill 1551 are not companion bills, but they both would amend RCW 42.17.128 to allow use of public resources to finance political campaigns. The bills would remove the reference to local office, permitting local jurisdictions to implement their own public financing program. The Commission took no formal action.

House Bill 1018 – Time Limit for State Officials to Solicit or Accept Contributions. The Commission took no formal action.

House Bill 1189 – Contributions by Limited Liability Companies. The Commission took no formal action.

House Bill 1362 – Campaign Finance Reform. Ms. Rippie would speak in favor of the provisions prohibiting using general treasury funds for campaigns and implementing contribution limits to PACs.

Ms. Rippie reviewed other bills that the Commission will monitor.

### Rule Making

#### Public Hearing

Doug Ellis reported on proposed staff amendments to WAC 390-24-010, Forms for statement of financial affairs, scheduled for public hearing.

#### **Motion 07-41**

Moved by Commissioner Brumsickle, seconded by Commissioner Schellberg:

**The Commission approves the technical change proposed by staff to WAC 390-24-010.**

The motion passed unanimously.

No public testimony was offered.

#### **Motion 07-42**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission adopts as amended WAC 390-24-010, Forms for statement of financial affairs.**

The motion passed unanimously.

#### Approve Draft Language

Mr. Ellis recommended deferring discussion of draft language relating to the Reporting Modification Renewal rules until the February meeting.

Mr. Ellis continued with the discussion of draft rule language to Implement 2006 session laws:

Amend WAC 390-17-400, Time limit to solicit or accept contributions.

**Motion 07-43**

Moved by Commissioner Brumsickle, seconded by Commissioner Schellberg:

**The Commission approves as presented language to enact WAC 390-17-400, Time limit to solicit or accept contributions.**

The motion passed unanimously.

New WAC 390-16-320, Small political subdivisions – Reporting threshold.

**Motion 07-44**

Moved by Commissioner Brumsickle, seconded by Commissioner Tilly:

**The Commission approves as presented language for new WAC 390-16-320, Small political subdivisions – Reporting threshold.**

The motion passed unanimously.

Amend WAC 390-17-030, Sample ballots and slate cards.

**Motion 07-45**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission approves as revised language to amend WAC 390-17-030, Sample ballots and slate cards.**

The motion passed unanimously.

Mr. Ellis explained proposed draft language to revise an existing rule relating to sponsor identification:

Amend WAC 390-18-025, Identification of “top five contributors.”

**Motion 07-46**

Moved by Commissioner Brumsickle, seconded by Commissioner Tilly:

**The Commission approves as presented language to amend WAC 390-18-025, Identification of “top**

**five contributors.”**

The motion passed unanimously.

New WAC 390-05-275, Definition – Party Organization.

**Motion 07-47**

Moved by Commissioner Schellberg, seconded by Commissioner Brumsickle:

**The Commission approves language to enact WAC 390-05-275, Definition – Party Organization.**

The motion passed unanimously.

Mr. Ellis draft language establishing new penalty schedules for brief enforcement hearings.

New WAC 390-37-180, Candidate 21 and 7 day pre-election C-4 reports penalty schedule.

**Motion 07-48**

Moved by Schellberg, seconded by Brumsickle:

**The Commission tables discussion of draft WAC 390-37-180.**

The motion passed unanimously.

Performance Reports

Strategic Plan Progress Report

Doug Ellis reported on progress made in implementing the 2005-2007 Strategic Plan.

FY2006 Annual Report

Vicki Rippie reviewed highlights of the FY2006 Annual Report.

Reporting by Out-of-State Committees

Suemary Trobaugh presented an analysis of the effect of the 2006 statutory changes on filings by out-of-state committees. The analysis showed that fewer pages were received than was anticipated.

Professional Staff

Doug Ellis stated that the Public Disclosure Law requires professional staff of the Office of the Governor, State Senate and State House of Representatives to file an annual Financial Affairs Statement. The Commission is required to conduct a review of these professional staff positions each year.

The Office of the Governor, State Senate and State House of Representatives have submitted lists of persons and positions they believe meet the requirements of professional staff.

**Motion 07-49**

Moved by Commissioner Brumsickle, seconded by Commissioner Schellberg:

**The Commission approves the lists of professional staff required to file Personal Financial Affairs Statements as proposed by The Office of the Governor, State Senate and State House of Representatives.**

The motion passed unanimously.

Enforcement

Reporting Modifications

New

*Kristianne Blake, Regent,  
University of Washington*

Kurt Young reported that Ms. Blake requests an exemption from reporting the business customers of Advantage IQ and Laird Norton Tyee. She is a director of both companies and does not have knowledge of their business customers.

**Motion 07-50**

Moved by Commissioner Brumsickle, seconded by Commissioner Tilly:

**The Commission grants Kristianne Blake the requested reporting modification.**

**The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited modification would not frustrate the purposes of the act.**

The motion passed unanimously.

Renewals (no change)

*Gordon Budke, Trustee, Eastern  
Washington University*

Kurt Young reported that Mr. Budke requests an exemption from reporting the business customers of Yoke's Washington Foods, Inc.

**Motion 07-51**

Moved by Schellberg, seconded by Brumsickle:

**The Commission grants Gordon Budke the requested reporting modification.**

**The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited modification would not frustrate the purposes of the act.**

The motion passed unanimously.

*International Brotherhood of  
Electrical Workers Local 77  
Political Committee*

Kurt Young reported that the International Brotherhood of Electrical Workers Local 77 Political Committee requests an exemption from reporting the individual addresses of their members.

**Motion 07-52**

Moved by Brumsickle, seconded by Tilly:

**The Commission grants the International Brotherhood of Electrical Workers Local 77 Political Committee the requested reporting modification.**

**The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited modification would not frustrate the purposes of the act.**

The motion passed unanimously.

The commissioners tentatively agreed to the following meeting dates for the remainder of the fiscal year: February 22, March 22, May 2, and June 28.

Staff Reports

Executive Director

Vicki Rippie reported that the draft letter to the Governor and legislators identifying the Commission's legislative recommendations with respect to independent advertising expenditures was delivered to recipients on December 11, 2006; it was inadvertently dated November 11, 2006.

Ms. Rippie also reported on the status of the FY07 budget and provided a summary of the Commissioner meeting dues account.



Assistant Director	Doug Ellis thanked the Commission for allowing him to attend the COGEL conference. He was able to interact with individuals from other states who have implemented public financing laws.
Chief Technology Officer	Michael Smith highlighted the updates in the newest version of ORCA that was released.
Senior Assistant Attorney General	Nancy Krier reported the oral argument in the Davenport case was held on January 10, 2007 and the decision is pending.
<u>Executive Session</u>	The Commission went into executive session at 12:10 p.m. to discuss pending and potential litigation with legal counsel.
<u>Public Session</u>	The Commission returned to public session at 12:50 p.m.
<u>Adjournment</u>	Chair Noland adjourned the meeting at 12:51 p.m. The next meeting is scheduled for Thursday, February 22, 2007.

Approved by the Commission on February 22, 2007.